1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

Dated: January 4, 2010

Plaintiff Quixtar Inc. ("Quixtar") respectfully seeks leave of this Court to file under seal its Opposition to Defendant's Objections to Magistrate Judge's Order Denying Defendant's Motion to Compel ("Quixtar's Opposition") for the following reasons:

- 1. In an abundance of caution, Quixtar requested the Court to seal the hearing held on December 2, 2009 on TEAM's Motion to Compel ("December 2, 2009 Hearing"). The Court granted Quixtar's request and sealed the records of the December 2, 2009 Hearing, as well as the Minutes of the Proceedings held on December 2, 2009. Ouixtar has moved to unseal the December 2, 2009 Hearing records (see Dkt. No. 503), however, the Court has not ruled on that motion. Accordingly, the December 2, 2009 Hearing records remain sealed.
- 2. Quixtar's Opposition references the December 2, 2009 Hearing and the Court's order relating to that hearing.

Quixtar thus respectfully requests this Court's leave to file its Opposition under seal.

/s/ Miranda Du

MIRANDA DU MCDONALD CARANO WILSON LLP 100 W. Liberty Street, 10th Floor P.O. Box 2670 Reno, NV 89505-2670
CEDRIC C. CHAO WILLIAM L. STERN JAMES M. SCHURZ MORRISON & FOERSTER LLP 425 Market Street San Francisco, California 94105-2482
JAMES SOBIERAJ (IL SBN 6183779) DOMINIC P. ZANFARDINO (IL SBN 6204603) BRINKS HOFER GILSON & LIONE NBC Tower, Suite 3600 North Cityfront Plaza Drive Chicago, IL 60611-5599 Telephone: (312) 321-4226

E-Mail: isobieraj@usebrinks.com

and dzanfardino@usebrinks.com

JAMES K. CLELAND (BN P68507) BRADLEY SMITH (BN 52,230) BRINKS HOFER GILSON & LIONE 524 South Main Street, Suite 200 Ann Arbor, MI 48104-2921 Telephone: (734) 302-6032 E-Mail: jcleland@usebrinks.com and bsmith@usebrinks.com

EDWARD J. BARDELLI (MI SBN P53849) BRIAN J. MASTERNAK (MI SBN P57372) WARNER NORCROSS & JUDD LLP 900 Fifth Third Center, 111 Lyon Street, NW Grand Rapids, MI 49503 E-Mail: <u>EBardelli@wnj.com</u> and <u>BMasternak@wnj.com</u>

Attorneys for Plaintiff Quixtar Inc.

IT IS SO ORDERED.

UNITED STATES MAGISTRATE JUDGE DATED: _____January 5, 2010 _____

CERTIFICATE OF SERVICE

I hereby certify, under penalty of perjury, that I am an employee of McDonald Carano				
Wilson LLP and that pursuant to LR 5-3 I caused to be electronically filed on this date, a true and				
correct copy of the REQUEST TO FILE UNDER SEAL OPPOSITION TO DEFENDANT'S				
OBJECTIONS TO MAGISTRATE JUDGE'S ORDER DENYING DEFENDANT'S				
MOTION TO COMPEL with the Clerk of the Court using the CM/ECF system, which will				
automatically e-serve the same on the attorneys of record set forth below:				

Sharon M. Woods, swoods@bsdd.com Morley Witus, mwitus@bsdd.com Daniel LaCombe, dlacombe@bsdd.com Barris, Sott, Denn & Driker, P.L.L.C. 211 West Fort Street, 15th Floor Detroit, MI 48226-3281	Kirk B. Lenhard, kbl@jonesvargas.com Adam K. Bult, abult@jonesvargas.com JONES VARGAS 3773 Howard Hughes Parkway Third Floor South Las Vegas, NV 89169
Wm. Charles Bundren, <u>cbundren@aol.com</u> Wm. Charles Bundren & Associates 2591 Dallas Pkwy, Suite 300 Frisco, TX 75034	John Desmond, <i>jpd@jonesvargas.com</i> Molly Malone Rezac, <i>mrezac@jonesvargas.com</i> JONES VARGAS 100 W. Liberty St., 12 th Floor, PO Box 281 Reno, NV 89504
Michael Y. McCormick, mmccormick@mhn-law.com Ronald T. Hancock, rhancock@mhn-law.com Anthony Spaeth, aspaeth@mhn-law.com McCormick, Hancock & Newton 1900 West Loop South, Ste. 700 Houston, TX 77027	Daniel J.M. Schouman, dschouman@qmail.com Ryan & Schouman, P.L.C. 1060 E. West Maple Walled Lake, MI 48390
Evan Beavers, <u>beaverslaw@charterinternet.com</u> EVAN BEAVERS AND ASSOC., P.C. 1625 Highway 88, Suite 304 Minden, NV 89423	William A. Sankbeil, was@krwlaw.com Joanne Geha Swanson, igs@krwlaw.com Kerr, Russell and Weber, PLC 500 Woodward Avenue, Suite 2500 Detroit, MI 48226

Dated: January 4, 2010

/s/ Kathleen E. Ryd Kathleen E. Ryd